

the articles may be reloaded into another means of conveyance, or the shipment may be diverted from the original destination, without another shipper's certificate; but in all such cases the carrier must immediately report the facts by telephone or telegraph to the District Manager in the area in which the emergency occurs. The report must include the following information:

- (1) Nature of the emergency.
- (2) Place where seals were broken.
- (3) Original points of shipment and destination.
- (4) Number and initial of the original car or truck.
- (5) Number and initials of the car or truck into which the articles are reloaded.
- (6) New destination of the shipment.
- (7) Kind and amount of articles.

**§ 555.10 Provisions inapplicable to specimens for laboratory examination, etc., or to naturally inedible articles.**

The provisions of this part do not apply:

- (a) To specimens of product sent to or by the Department of Agriculture or divisions thereof in Washington, DC, or elsewhere, for laboratory examination, exhibition purposes, or other official use;
- (b) To material released for educational, research, and other nonfood purposes, as prescribed in § 540.2 of this subchapter;
- (c) To tissues for use in preparing pharmaceutical, organotherapeutic, or technical products and not used for human food, as described in § 540.2 of this subchapter;
- (d) To material or specimens of product for laboratory examination, research, or other nonhuman food purposes, when authorized by the Administrator, and under conditions prescribed by him in specific cases; and
- (e) To articles that are naturally inedible by humans.

**§ 555.11 Transportation and other transactions concerning dead, dying, or diseased fish, and fish or parts of fish that died otherwise than by slaughter.**

No person engaged in the business of buying, selling, or transporting in com-

merce, or importing any dead, dying, or diseased fish or parts of fish that died otherwise than by slaughter shall:

(a) Sell, transport, offer for sale or transportation, or receive for transportation, in commerce, any dead, dying, or diseased fish or parts of fish that died otherwise than by slaughter, unless the fish and parts are consigned and delivered, without avoidable delay, to establishments of animal food manufacturers, renderers, or collection stations that are registered as required by part 550 of this subchapter, or to official establishments that operate under Federal inspection, or to establishments that operate under a State or Territorial inspection system approved by FSIS as one that imposes requirements at least equal to the Federal requirements for purposes of section 301(c) of the Act;

(b) Buy in commerce or import any dead, dying, or diseased fish or parts of fish that died otherwise than by slaughter, unless he is an animal food manufacturer or renderer and is registered as required by part 550 of this subchapter, or is the operator of an establishment inspected as required by paragraph (a) of this section and such fish or parts of fish are to be delivered to establishments eligible to receive them under paragraph (a) of this section;

(c) Unload en route to any establishment eligible to receive them under paragraph (a) of this section, any dead, dying, or diseased fish or parts of fish that died otherwise than by slaughter, which are transported in commerce or imported by any such person: *Provided*, That any such dead, dying, or diseased fish, or parts of fish may be unloaded from a means of conveyance en route where necessary in case of a wreck or otherwise extraordinary emergency, and may be reloaded into another means of conveyance; but in all such cases, the carrier must immediately report the facts by telephone or other electrical or electronic means to the Office of Investigation, Enforcement and Audit, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250.

(d) Load into any means of conveyance containing any dead, dying, or diseased fish, or parts of fish that died

otherwise than by slaughter, while in the course of importation or other transportation in commerce any fish or parts of fish not within the foregoing description or any other products or other commodities.

**§ 555.12 Means of conveyance in which dead, dying, or diseased fish or parts of fish must be transported.**

All vehicles and other means of conveyance used by persons subject to § 555.11 for transporting in commerce or importing, any dead, dying, or diseased fish or parts of fish that died otherwise by slaughter must be leak proof and so constructed and equipped as to permit thorough cleaning and sanitizing. The means of conveyance used in conveying the fish or parts of fish must be cleaned and disinfected before being used in the transportation of any product intended for use as human food. The cleaning procedure must include the complete removal from the means of conveyance of any fluid, parts, or product of dead, dying, or diseased fish and the thorough application of a disinfectant approved by the Administrator to the interior surfaces of the cargo space.

**PART 557—IMPORTATION (EFF. 3-1-16)**

Sec.

- 557.1 Definitions; application of provisions.
- 557.2 Eligibility of foreign countries for importation of fish and fish products into the United States.
- 557.3 No fish or fish product to be imported without compliance with applicable regulations.
- 557.4 Imported fish and fish products; foreign certificates required.
- 557.5 Importer to make application for inspection of fish and fish products for entry.
- 557.6 Fish and fish products for importation; program inspection, time and place; application for approval of facilities as official import inspection establishment; refusal or withdrawal of approval; official numbers.
- 557.7 Products for importation; movement prior to inspection; handling; bond; assistance.
- 557.8 Import fish and fish products; equipment and means of conveyance used in handling to be maintained in sanitary condition.
- 557.9 [Reserved]

- 557.10 Samples; inspection of consignments; refusal of entry; marking.
- 557.11 Receipts to importers for import fish and fish products samples.
- 557.12 Foreign canned or packaged fish and fish products bearing trade labels; sampling and inspection.
- 557.13 Foreign fish and fish products offered for importation; reporting of findings to Customs.
- 557.14 Marking of fish products and labeling of immediate containers thereof for importation.
- 557.15 Outside containers of foreign products; marking and labeling; application of official inspection legend.
- 557.16 Small importations for importer's own consumption; requirements.
- 557.17 Returned U.S. inspected and marked fish and fish products.
- 557.18 Fish and fish products offered for entry and entered to be handled and transported as domestic; exception.
- 557.19 Specimens for laboratory examination and similar purposes.
- 557.20–557.23 [Reserved]
- 557.24 Appeals; how made.
- 557.25 Disposition procedures for fish and fish product condemned or ordered destroyed under import inspection.
- 557.26 Official import inspection marks and devices.

AUTHORITY: 21 U.S.C. 601–602, 606–622, 624–695; 7 CFR 2.7, 2.18, 2.53.

SOURCE: 80 FR 75616, Dec. 2, 2015, unless otherwise noted.

EFFECTIVE DATE NOTE: At 80 FR 75616, Dec. 2, 2015, part 557 was added, effective Mar. 1, 2016.

**§ 557.1 Definitions; application of provisions.**

(a) When used in this part, the following terms shall be construed to mean:

(1) *Import*. To bring within the territorial limits of the United States whether that arrival is accomplished by land, air, or water.

(2) *Offer for entry*. Presentation of the imported product by the importer to the Program for reinspection.

(3) *Entry*. The point at which imported product offered for entry receives reinspection and is marked with the official mark of inspection in accordance with § 557.26 of this subchapter.

(b) The provisions of this part shall apply to fish and fish products that are